

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

In Re:)	
)	Case No. 21-42522-169
Richard D. Caver, <i>Debtor(s)</i>)	Chapter: 13
)	
Lakeview Loan Servicing, LLC, by Nationstar Mortgage LLC,)	Hearing Date: March 28, 2023
<i>Movant</i>)	Hearing Time: 10 AM
)	Objection Deadline: March 21,
vs.)	2023
)	
Richard D. Caver, <i>Respondent(s)</i>		

NOTICE OF HEARING AND NOTICE OF DEFAULT

WARNING: THIS NOTICE SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE NOTICE, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY March 21, 2023. YOUR RESPONSE MUST STATE WHY THE NOTICE SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU.

IF YOU OPPOSE THE NOTICE AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE NOTICE AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS. THE HEARING WILL BE HELD ON THE DATE AND TIME ABOVE BEFORE THE HONORABLE Bonnie L. Clair, IN THE UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF MISSOURI, THOMAS F. EAGLETON U.S. COURTHOUSE, 111 SOUTH TENTH STREET, 7 South, ST. LOUIS, MO 63102.

COMES NOW, Lakeview Loan Servicing, LLC, by Nationstar Mortgage LLC and for its Notice of Default states as follows:

1. In resolution of Lakeview Loan Servicing, LLC, by Nationstar Mortgage LLC's Motion for Relief from the Automatic Stay in regard to realty owned by the Debtor, a Consent Order and Stipulation (Order) was entered on or about December 15, 2022
2. Pursuant to the Order, Debtor agreed to make monthly post-petition payments as they became due beginning December 1, 2022 to the address provided by Movant, or its successors and assigns in the monthly mortgage statement.
3. It was further stipulated that in the event the Debtor failed to perform in making these payments, Movant was required to provide notice under the terms of the Order. Thereafter, Movant would be entitled to an Order from the Court granting relief from the automatic stay allowing Movant to

exercise all of its rights and remedies under the Promissory Note, Deed of Trust, or as may otherwise be provided for by state and non-bankruptcy law.

4. The Order filed in resolution of Movant's motion has been breached by the Debtor. As of December 1, 2023, a delinquency in the amount of 9,332.50 exists under the terms of the Order. A breakdown of the delinquency is as follows:

3 Regular payment(s) @ \$1,113.68 (12/01/2023 – 02/01/2023)	<u>\$3,341.04</u>
2 Stipulation payment(s) @ \$2,945.73 (12/15/2022 – 01/15/2023)	<u>\$5,891.46</u>
Attorney Fees	<u>\$100.00</u>
Total	<u>\$9,332.50</u>

The address to which payments can be made for Nationstar Mortgage LLC is:
5151 Corporate Drive
Troy, MI 48098-2639

WHEREFORE, pursuant to the Order, Movant hereby gives notice that in the event a valid defense is not set forth or funds tendered sufficient to cure the delinquency identified above along with all amounts that have come due under the terms of the Promissory Note, Deed of Trust, and/or Order of the Court within fourteen (14) days of the date given below, Movant, or its successors and assigns will herewith be proceeding with foreclosure in order to pursue its rights and remedies under state and non-bankruptcy law in connection with the subject Promissory Note and/or Deed of Trust. Movant will request this Court issue an Order granting relief from the automatic stay to Movant for such purposes.

December 2, 2021

SOUTHLAW, P.C.

s/ Hunter C. Gould

Steven L. Crouch, (MBE #37783; EDMO #2903; KSF# #70244)
Daniel A. West (MBE #48812; EDMO #98415; KSF# #70587)
Wendee Elliott-Clement (MBE #50311; KS #20523)
Hunter C. Gould (MBE #65355; #KSF# #78608)
13160 Foster Suite 100
Overland Park, KS 66213-2660
(913) 663-7600
(913) 663-7899 Fax
moedbknoces@southlaw.com
ATTORNEYS FOR CREDITOR

CERTIFICATE OF MAILING/SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on February 13, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via email by the Court's CM/ECF System as list on the Court's Electronic Mail Notice List.

- **Diana S. Daugherty** standing_trustee@ch13stl.com, trust33@ch13stl.com
- **Wendee Noel Elliott-Clement** moedbknoces@southlaw.com, ksbkecf@ecf.courtdrive.com
- **Office of US Trustee** USTPRegion13.SL.ECF@USDOJ.gov
- **Timothy Patrick Powderly** tim@powderlylaw.com, powderlylawmycmecf@gmail.com; info@andreyukbrazil.com; R51502@notify.bestcase.com

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the parties listed below on February 13, 2023.

Richard D Caver
12075 Wesmeade Drive
Maryland Heights, MO 63043

RESPONDENTS

SOUTHLAW, P.C.

s/ Hunter C. Gould

Steven L. Crouch, (MBE #37783; EDMO #2903; KSf #70244)
Daniel A. West (MBE #48812; EDMO #98415; KSf #70587)
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moedbknoces@southlaw.com
ATTORNEYS FOR CREDITOR

NAME: Richard D Caver
CLIENT: Nationstar Mortgage LLC
ACCT NO: XXXXXX5370

CASE NO: 21-42522-169
DATE FILED:
FILE NO: 230604

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